

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
ENTERED

NOV 05 2013

David J. Bradley, Clerk of Court

JESUS GUERRERO, *et al.*, §
Plaintiffs, §
VS. § CIVIL NO. 1:13-CV-92
COUNTY OF HIDALGO, *et al.*, §
Defendants. §

ORDER

BE IT REMEMBERED, that on November 5, 2013, the Court ORDERED Plaintiffs to show cause for their failure to complete service of process on the defendants in this case by November 19, 2013.

Plaintiffs filed their complaint on May 17, 2013. Dkt. No. 1. On May 20, 2013, the Court ordered the parties to submit a joint discovery/case management plan by October 4, 2013. Dkt. No. 2. To date, there is no indication that the defendants have been served with process and no joint discovery/case management plan has been filed.

Rule 4(m) of the Federal Rules of Civil Procedure states that “[i]f a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” FED. R. CIV. P. 4(m). If, however, the plaintiff “shows good cause for the failure, the court must extend the time for service for an appropriate period.” FED. R. CIV. P. 4(m). With regard to the fact that no joint discovery/case management plan was filed by the deadline, the Court notes that any difficulty associated with completing service does not automatically excuse failure to meet deadlines set by the Court.

The Court therefore **ORDERS** Plaintiffs to show cause for their failure to complete service of process on the defendants in this case by November 19, 2013.

SIGNED this 5th day of November, 2013.



Hilda Tagle
Senior United States District Judge